



07-07-03

DAC #9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant Named

Inventor : Klaus Draenert

Appln. No.: 09/919,179

Filed : July 30, 2001

For : MODULAR REVISION PROSTHESIS

Docket No.: D06.12-0007

Group Art Unit: 3732

Examiner: Eduardo C. Robert

**TRANSMITTAL LETTER AND PETITION FOR REVIVAL OF AN
APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER
37 C.F.R. § 1.137(b)**

Mail Stop Petition

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**EXPRESS MAIL NO.
EV 178016394 US**

**DATE OF DEPOSIT:
JULY 3, 2003**

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on August 30, 2002 which set a three month period for response. The abandonment date for this application is December 1, 2002.

The Applicant hereby petitions for revival of the above-identified application.

A Petition to Revive signed by the inventor is enclosed, and the small entity fee of \$650.00 is also enclosed.

Further, an amendment responding to the Official Action, including the proposed revised specification, and revised drawings are enclosed.

The Applicant, Klaus Draenert, has stated that the entire delay up until the undersigned attorney was appointed or engaged was unintentional, and the undersigned attorney hereby states that the entire delay in filing the required reply from the due date of the required reply up until the time of filing this petition was unintentional.

The following items are enclosed:

RECEIVED

JUL 10 2003

OFFICE OF PETITIONS

- 1) Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b) including a statement that the entire delay was unintentional signed by Klaus Draenert, the Applicant.
- 2) A Revocation of Prior Powers of Attorney and Power of Attorney to the undersigned.
- 3) An Amendment in response to the Official Action of August 30, 2002, including a revised specification and claims.
- 4) PTO-Form 2038 in the amount of \$650.00.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123. A duplicate copy of this communication is enclosed.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

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NEW/rkp